

106th TN General Assembly

Second Regular Session



Monday, May 24, 2010

Senate – 88th Legislative Day House – 86th Legislative Day

SENATE

BILLS / RESOLUTIONS

- SR 0227 by *Jackson**
Memorials, Interns - Andrew "Drew" Chance -
- SR 0228 by *McNally**
Memorials, Interns - Jacob Baggett -
- SJR 1219 by *Black**
Memorials, Sports - Coach Mike Hendrix, Hendersonville High School -
- SJR 1220 by *Black**
Memorials, Public Service - Senator Dewayne Bunch -
- SJR 1221 by *Black**
Memorials, Academic Achievement - Matthew Brian Reecer, Salutatorian, Portland High School -
- SJR 1222 by *Black**
Memorials, Academic Achievement - Stephen Lentz Derryberry, Jr., Valedictorian, Portland High School
- SJR 1223 by *Black**
Memorials, Academic Achievement - Andrew Nash, Valedictorian, White House Heritage High School -
- SJR 1224 by *Black**
Memorials, Academic Achievement - Douglas Holder, Salutatorian, White House Heritage High School -
- SJR 1225 by *Black**
Memorials, Academic Achievement - Jesus Gonzalez, Valedictorian, South Haven Christian School -
- SJR 1226 by *Black**
Memorials, Academic Achievement - Rebecca Morgan, Salutatorian, South Haven Christian School -
- SJR 1227 by *Black**
Memorials, Academic Achievement - Aaron Fairchild, Salutatorian, Christian Community High School -
- SJR 1228 by *Black**
Memorials, Academic Achievement - Nickolas Franklin Luttrell, Valedictorian, Springfield High School -
- SJR 1229 by *Black**
Memorials, Academic Achievement - Ryan Alexander King, Salutatorian, Springfield High School -
- SJR 1230 by *Black**
Memorials, Academic Achievement - Marie Jones, Valedictorian, Christian Community High School -
- SJR 1231 by *Black**
Memorials, Academic Achievement - Alice Antimie, Salutatorian, Hendersonville Christian Academy -
- SJR 1232 by *Black**
Memorials, Academic Achievement - Jared Dylan Colvin, Valedictorian, Hendersonville Christian Academy -

(Senate Resolutions cont.)

- SJR 1233 by *Black**
Memorials, Sports - Abby Wilson and Tsali Franklin, Gallatin High School, doubles tennis champions -
- SJR 1234 by *Woodson, McNally, Henry, Haynes**
Memorials, Public Service - Senator Tim Burchett -
- SJR 1235 by *Southerland**
Memorials, Interns - Jason Parker -
- SJR 1236 by *Haynes**
Memorials, Interns - Colin Williams -
- SJR 1237 by *Herron**
Memorials, Professional Achievement - Dave Chaffin, 2009 AP's Best Radio Newscaster Award -
- SJR 1238 by *Herron**
Memorials, Interns - Thomas Austin Watkins -
- SJR 1239 by *Herron**
Memorials, Academic Achievement - Rebecca Jo Moore, Valedictorian, Dresden High School -
- SJR 1240 by *Herron**
Memorials, Academic Achievement - Amber Crafton, Salutatorian, Dresden High School -
- SJR 1241 by *Herron**
Memorials, Academic Achievement - Marianela D'Aprile, Valedictorian, Martin Westview High School -
- SJR 1242 by *Herron**
Memorials, Academic Achievement - Timothy Bergman, Salutatorian, Martin Westview High School -
- SJR 1243 by *Herron**
Memorials, Academic Achievement - Katelin McCall, Valedictorian, Greenfield High School -
- SJR 1244 by *Herron**
Memorials, Academic Achievement - Dakota Betts, Salutatorian, Greenfield High School -
- SJR 1245 by *Herron**
Memorials, Academic Achievement - Elizabeth Terrell, Valedictorian, Gleason High School -
- SJR 1246 by *Herron**
Memorials, Academic Achievement - Ryan Richardson, Salutatorian, Gleason High School -
- SJR 1247 by *Herron**
Memorials, Academic Achievement - Adilene Rodriguez, Valedictorian, Lake County High School -
- SJR 1248 by *Herron**
Memorials, Academic Achievement - Wendy Mills, Salutatorian, Lake County High School -
- SJR 1249 by *Berke, Watson**
Memorials, Recognition - Chattanooga School for the Liberal Arts, Magnet Schools of America Top Elementary Magnet School in the US -
- SJR 1250 by *Berke, Watson**
Memorials, Academic Achievement - Brooke Reed, Leonore Annenberg Scholarship -
- SJR 1251 by *Finney L**
Memorials, Public Service - Betty Poteete, Democratic Party Chairwoman for Gibson County -
- SJR 1252 by *Finney L**
Memorials, Sports - Peabody High School Tennis Teams -
- SJR 1253 by *Finney L**
Memorials, Recognition - Lex Suite, first place winner, Value-Added Achievement Awards -
- SJR 1254 by *Finney L**
Memorials, Retirement - Dale Kelley -
- SJR 1255 by *Yager**
Memorials, Death - Calvin Houston Cheek -
- SJR 1256 by *Herron**
Memorials, Academic Achievement - Sarah McPeake, Valedictorian, Lexington High School -
- SJR 1257 by *Herron**
Memorials, Academic Achievement - Nissa Lomax, Salutatorian, Perry County High School -
- SJR 1258 by *Herron**
Memorials, Academic Achievement - Ariel Stearnes, Valedictorian, Perry County High School -
- SJR 1259 by *Herron**
Memorials, Academic Achievement - Shelby Mills, Salutatorian, Lexington High School -

(Senate Resolutions cont.)

SJR 1260 by *Herron

Basic Education Program (BEP) - Requests the State Board of Education and the BEP Review Committee to analyze impact of recent flood on local governments' fiscal capacity. -

SJR 1261 by *Bunch

Memorials, Death - Harlan White -

THIRD CONSIDERATION

Consent Calendar:

SJR's 1169, 1170, 1171, 1172, 1173, 1174 – ADOPTED 33-0.

SJR's 1175, 1176, 1177, 1178, 1179, 1180 – ADOPTED 33-0.

SR's 223, 224 – ADOPTED 33-0.

HJR's 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232 – CONCURRED 33-0.

HJR's 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242 – CONCURRED 33-0.

HJR's 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252 – CONCURRED 33-0.

HJR's 1254, 1255, 1256, 1258, 1259, 1265, 1266, 1267, 1269, 1270 – CONCURRED 33-0.

Consent Calendar #2:

SB 2702 – s/c HB 2866 – PASSED 33-0.

SB 3330 – s/c HB 3355 – PASSED 33-0.

SR 216 – ADOPTED 33-0.

SJR's 931, 1061, 1073, 1093 – ADOPTED 33-0.

HJR's 708, 744, 769, 781, 786, 796, 807 – CONCURRED 33-0.

HJR's 890, 959, 974, 1074, 1078, 1161, 1191, 1222 – CONCURRED 33-0.

Consent Calendar #3:

HJR's 759, 843, 1218, 1272, 1273, 1274, 1275, 1276, 1277, 1278 – CONCURRED 32-0.

HJR's 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1289 – CONCURRED 32-0.

HJR's 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1300 – CONCURRED 32-0.

HJR's 1301, 1302, 1303, 1304, 1306, 1307, 1308, 1309, 1310, 1311 – CONCURRED 32-0.

HJR's 1312, 1313, 1314, 1315, 1316, 1317, 1319, 1320, 1321, 1322 – CONCURRED 32-0.

HJR's 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332 – CONCURRED 32-0.

SJR 1181 – ADOPTED 32-0.

SJR's 1182, 1183 – RE-SET to next calendar.

SJR's 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191 – ADOPTED 32-0.

SJR's 1193, 1195, 1196 – ADOPTED 32-0.

SJR 1197 – RE-SET to next calendar.

SJR's 1199, 1200, 1201, 1202, 1203, 1204, 1205 – ADOPTED 32-0.

SJR's 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1216, 1217, 1218 – ADOPTED 32-0.

SR 226 – ADOPTED 32-0.

Regular Calendar:

SB 3901 – RE-REF to FW&M.

SB 131 – RE-SET to next calendar.

SB 132 – RE-REF to Calendar.

SB 274 – RE-REF to FW&M.

SB 954 – s/c HB 1323 – Amd. #2 ad. – PASSED AS AMENDED 32-0.

SB 1916 – Amds. #2, 3 ad. – PASSED AS AMENDED 33-0.

SB 2431 – s/c HB 2609 – Amd. #2 ad. – PASSED AS AMENDED 28-0.

SB 2433 – s/c HB 2614 – Amds. #2, 3 ad. – PASSED AS AMENDED 33-0.

SB 2434 – s/c HB 2613 – Amd. #2 ad. – PASSED AS AMENDED 31-1.

SB 2436 – s/c HB 2611 – Amd. #2 ad. – PASSED AS AMENDED 33-0.

SB 2508 – s/c HB 2485 – PASSED 32-0.

SB 2621 – RE-SET to last calendar.

SB 2626 – Amd. #3 ad. – PASSED AS AMENDED 17-8/

(Third Considerations – Regular Calendar cont.)

SB 2699 – s/c HB 2486 – PASSED 33-0.

SB 2709 – RE-SET to 5/26/10.

SB 2809 – s/c HB 3259 – PASSED 33-0.

SB 2835 – Amd. #1 ad. – PASSED AS AMENDED 28-2.

SB 2837 – Amd. #1 ad. – PASSED AS AMENDED 33-0.

SB 2870 – Amds. #1, 2 ad. – PASSED AS AMENDED 33-0.

SB 2900 – s/c HB 3543 – PASSED 23-4.

SB 2901 – s/c HB 3538 – PASSED 25-3.

SB 2902 – s/c HB 3537 – PASSED 23-4.

SB 2911 – s/c HB 3025 – PASSED 31-0.

SB 2970 – s/c HB 3280 – Amds. #1, 2 ad. – PASSED AS AMENDED 29-0.

SB 3049 – Amds. #1, 3 ad. – PASSED AS AMENDED 24-7.

SB 3059 – s/c HB 3380 – Amd. #2 ad. – PASSED AS AMENDED 30-0.

SB 3096 – s/c HB 3136 – Amd. #3 ad. – PASSED AS AMENDED 32-1.

SB's 3110, 3174, 3198, 3333, 3398, 3415, 3431, 3518, 3536 – RE-SET to next calendar.

SB's 3644, 3685, 3846, 3851, 3865, 3873, 3874, 3905, 3909 – RE-SET to next calendar.

HJR's 793, 1019, 1207 – RE-SET to next calendar.

SB's 1444, 1472, 2033, 2297, 2424, 2449, 2451, 2665, 2810, 2811, 3121, 3345 – RE-SET to next calendar.

HB 670 – Amd. #15 reconsidered/withdrawn; Amds. #23, 1 to 24, 3 to 24, 24, 25, 27, 28, 29 ad. – RE-SET to next calendar.

HB's 2510, 3149, 3351 – RE-SET to next calendar.

Message Calendar #1:

SB 2488 – RE-SET to next message calendar.

SB 2638 – H Amd. #3 CONCURRED 32-0.

SB 2943 – RE-REF to Calendar.

SB 3489 – RE-SET to next calendar.

SB 3602 – S refused to recede from non-concurrence of H Amd. #1: Conference Committee appointed – Sens. Ketron, Finney, Faulk.

HB 2492 – RE-SET to next calendar.

HB 3376 – S refused to recede from S Amds. #1, 2.

HB 3753 – S refused to recede from S Amd. #1.

Message Calendar #2:

SB 440 – RE-SET to next calendar.

SB 966 – H Amd. #2 CONCURRED 32-0.

SB 2465 – S refused to recede from non-concurrence of H Amd. #1: Conference Committee appointed – Sens. Watson, Johnson, Barnes.

SB 2636 – H Amds. #1, 2 CONCURRED 31-0.

SB 3222 – H Amds. #1, 3 CONCURRED 31-0.

SB 3317 – H Amd. #3 CONCURRED 28-4.

SB 3843 – H Amd. #1 CONCURRED 32-0.

SJR 764 – H Amd. #1 CONCURRED; RE-REF to FW&M.

OTHER ACTION

SJR 1215 – s/r ADOPTED v.v.

SJR 1236 – s/r ADOPTED v.v.

SJR 1255 0 s/r ADOPTED v.v.

HJR 1342 – s/r CONCURRED v.v.

HJR 1343 – s/r CONCURRED v.v.

SB 2593 – Conference Committee appointed: Sens. Watson, Johnson, Barnes.

SB 3291 – Conference Committee appointed: Sens. Watson, Johnson, Barnes.

COMMITTEE REPORTS

FINANCE, WAYS & MEANS – SHR #12
Action def. to 5/25 – SB's 3901, 3919.

MESSAGE FROM THE GOVERNOR

SB 3012 – VETOED 5/18/10.
SJR's 890, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1192, 1194, 1198 – SIGNED 5/24/10.

SENATE CONVENES AT 10:00 A.M., WEDNESDAY, MAY 27, 2010

H O U S E

BILLS / RESOLUTIONS

- HR 0405 by *Faulkner**
Memorials, Recognition - Maynardville Police Department -
- HR 0406 by *Armstrong, Tindell**
Memorials, Recognition - Linda Johnson, John J. Duncan Sr. Award for Senior Advocacy -
- HR 0407 by *Ferguson**
Memorials, Recognition - Lindsay Haack and John Ross, wedding -
- HR 0408 by *Odom, Mumpower**
Memorials, Recognition - Employees of House of Representatives of 106th General Assembly -
- HJR 1341 by *Carr**
Memorials, Recognition - Siori Koener, winner of the Letters About Literature contest -
- HJR 1342 by *Halford**
Memorials, Retirement - John T. Price -
- HJR 1343 by *Halford**
Memorials, Retirement - Kenneth Smithson -
- HJR 1344 by *Matheny**
Memorials, Heroism - David C. Shelton -
- HJR 1345 by *Coley**
Memorials, Retirement - David Walker -
- HJR 1346 by *Casada, Carr, Lollar, Evans, McManus, Eldridge, Matheny, Floyd, Cobb J, Faulkner, Todd, Rich, Hensley, Dennis, Watson**
Memorials, Public Service - Representative Mike Bell -
- HJR 1347 by *Casada, Carr, Lollar, Evans, McManus, Eldridge, Matheny, Floyd, Cobb J, Faulkner, Todd, Rich, Hensley, Dennis, Watson**
Memorials, Public Service - Representative Stacey Campfield -

(House Resolutions cont.)

- HJR 1348 by** *Casada, Carr, Lollar, Evans, McManus, Eldridge, Matheny, Floyd, Cobb J, Faulkner, Todd, Rich, Hensley, Dennis, Watson
Memorials, Public Service - Representative Donna Rowland -
- HJR 1349 by** *Casada, Carr, Lollar, Evans, McManus, Eldridge, Matheny, Floyd, Cobb J, Faulkner, Todd, Rich, Hensley, Dennis, Watson
Memorials, Public Service - Representative Susan Lynn -
- HJR 1350 by** *Moore, Gilmore, Evans
Memorials, Recognition - Pastor David Royalty -
- HJR 1351 by** *Evans
Memorials, Professional Achievement - Judy Walton Stanley, TEA Distinguished Educator Award -
- HJR 1352 by** *Evans
Memorials, Professional Achievement - Trevette LaChelle Burns, TEA Distinguished Educator Award -
- HJR 1353 by** *Hackworth, Winningham, Cobb T, Curtiss, Stewart, Fitzhugh, Ferguson, Gilmore, Mumpower, Evans
Memorials, Recognition - Boy Scouts of America, 100th anniversary -
- HJR 1354 by** *Ramsey, McCord
Memorials, Retirement - Anne Pfeiffer -
- HJR 1355 by** *Odom, Mumpower
Memorials, Recognition - Joint employees of 106th General Assembly -

THIRD CONSIDERATION

Consent Calendar:

HB 3989 – RE-SET to next calendar.

HR 401 – ADOPTED 96-1.

HJR's 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340 – ADOPTED 96-1.

Consent Calendar #2

HR's 405, 406, 407, 408 – ADOPTED 97-0.

HJR's 1341, 1342, 1343, 1344, 1345, 1346, 1347 – ADOPTED 97-0.

HJR 1348 – RE-SET to next calendar.

HJR's 1349, 1350, 1351, 1352, 1353, 1354, 1355 – ADOPTED 97-0.

SJR's 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179 – CONCURRED 97-0.

SJR's 1180, 1181, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193 – CONCURRED 97-0.

SJR's 1195, 1196, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207 – CONCURRED 97-0.

SJR's 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1236 – CONCURRED 97-0.

Regular Calendar:

HJR 1253 – ADOPTED 67-25.

HJR 1183 – Amd. #1 ad. – ADOPTED AS AMENDED 96-0.

HJR 1257 – ADOPTED 97-0.

HB 2284 – Amds. #2, 3 ad. – PASSED AS AMENDED 97-0.

HB 3554 – Amd. #1 ad. – PASSED AS AMENDED 69-23-6.

HB 3735 – Amd. #1 ad. - PASSED AS AMENDED 97-0.

HB 3736 – Amd. #1 ad. – PASSED AS AMENDED 97-0.

SJR 978 – Amd. #1 ad. – CONCURRED AS AMENDED 97-0.

SJR 784 – Amds. #1, 2 ad. – CONCURRED AS AMENDED 98-0.

HJR 1221 – ADOPTED 97-0.

HB 3606 – s/c SB 3687 – Amd. #3 ad. – PASSED AS AMENDED 98-0.

HB 3295 – s/c SB 3474 – PASSED 98-0.

HR 369 – Amd. #1 ad. – ADOPTED AS AMENDED 83-0-4.

HB 3998 – RE-SET to next calendar.

SB 2890 – HELD on desk.

SB 3586 – RE-SET to 5/27/10.

HB 3334 – Amds. #1, 2 ad. – PASSED AS AMENDED 97-0.

(Third Considerations – Regular Calendar cont.)

HB 3353 – PASSED AS AMENDED 89-9.

HB 1323 – Amd. #1 ad. – PASSED AS AMENDED 98-0.

Message Calendar

HB 270 – S Amds. #2, 3, 8, 10 NON-CONCURRED.

SB 2418 – H refused to recede from H Amd. #4.

HB 2455 – S Amd. #2 NON-CONCURRED.

HB 2462 – S Amd. #1, 2 NON-CONCURRED.

HB 2471 – S Amd. #1 NON-CONCURRED.

HB 2592 – S Amd. #2 NON-CONCURRED.

HB 2594 – S Amd. #2 NON-CONCURRED.

HB 2602 – S Amds. #1, 2 NON-CONCURRED.

HB 2603 – S Amd. #2 CONCURRED 98-0.

HB 2605 – S Amd. #2 NON-CONCURRED.

HB 2606 – S Amds. #1, 2 NON-CONCURRED.

HB 2610 – S Amds. #1, 2 NON-CONCURRED.

HB 2612 – S Amds. #1, 2 CONCURRED 97-0.

HB 2616 – S Amd. #2 CONCURRED 98-0.

HB 2617 – S Amd. #2 CONCURRED 98-0.

HB 2618 – S Amds. #1, 2 NON-CONCURRED.

HB 2619 – S Amd. #2 CONCURRED 98-0.

HB 2952 – S Amds. #1, 2 CONCURRED 97-1.

HB 3480 – S Amd. #5 CONCURRED 97-0.

Message Calendar #2

SB 2465 – RE-SET to next calendar.

HB 3376 – H refused to recede from non-concurrence S Amds. #1, 2; Conference Committee appointed – Reps. Ty Cobb, Bass, Todd.

SB 3602 – Conference Committee appointed – Reps. Tindell, M. Turner, Haynes.

HB 3753 – H refused to recede from non-concurrence S Amd. #1; Conference Committee appointed – Reps. S. Jones, Dean, Favors.

OTHER ACTION

HB 3249 – s/c SB 3119 – PASSED 96-0.

SB 2943 – Returned to Senate as requested.

MESSAGE FROM THE GOVERNOR

HJR's 1260, 1261, 1262, 1263, 1264, 1268, 1271 – SIGNED 5/24/10.

HOUSE CONVENES AT 9:00 A.M., THURSDAY, MAY 27, 2010